UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

MEMORANDUM June 3, 2002

SUBJECT: Completion of Tolerance Reassessments for Certain Meat, Milk, Poultry, and Egg (MMPE) Tolerances That Fall Under 40 CFR 180.6(a)(3).

FROM: Lois A. Rossi, SRRD, Director

TO: Marcia E. Mulkey, OPP, Director

The purpose of this memorandum is to document my decision on the tolerance reassessment of certain meat, milk, poultry, and egg (MMPE) tolerances. I consider a total of 101 MMPE tolerances to be reassessed as of the date of this memorandum.

The Health Effects Division (HED) has provided SRRD with a list of several active ingredients, including aldicarb, atrazine, carbofuran, and others (see Tables 1-3) for which certain MMPE tolerances fall under 40 CFR 180.6(a)(3), no reasonable expectation of finite residues, and are candidates for tolerance revocation because these tolerances are no longer needed.

In the case of cacodylate (dimethyl arsonate), HED determined that background levels of methylated arsenicals found in beef tissues and milk from ubiquitous arsenic substantially exceed residue levels incurred from ingestion of cacodylic acid-treated food commodities. Therefore, MMPE tolerances for cacodylic acid are recommended for revocation because these tolerances are not practically enforceable and are no longer needed.

Since HED's April 21, 2002, memorandum provides SRRD with a determination that there is no reasonable expectation of finite residues of the pesticides on the MMPE commodities, I consider the the FQPA safety finding to be met and the Agency can count these tolerances as reassessed. SRRD will follow-up by proposing to revoke these tolerances in the *Federal Register* in accordance with 40 CFR 180.6(a)(3).

Forty-three of the 101 reassessed MMPE tolerances are not addressed in SRRD's FY2002

workplan (Table 1). However, 42 of the tolerances are also addressed in upcoming RED and TRED documents that are scheduled for completion in FY2002 (Table 2). Also in the workplan, 16 MMPE tolerances for oxadiazon were previously proposed in the *Federal Register* for revocation and are currently in process to be revoked by final rule in the *Federal Register* (Table 3). In addition, the HED memorandum included 21 benomyl tolerances whose reassessments are already accounted for by recent final rule revocation (signature expected in May 2002) and will not be recounted here.

TABLE 1. MMPE TOLERANCES NOT ACCOUNTED FOR IN WORKPLAN

Chemical	**PC Code**	**CFR Cite**	**Document Reference**	**No.**	**Tolerances to be Revoked**
Aldicarb *	098301	180.269	D266396 C. Swartz 6/2/00	16	meat, fat, and meat byproducts of cattle, goats, hogs, horses, and sheep; and milk
Atrazine	080803	180.220	D272006 C. Eiden 1/18/01	7	meat, fat, and meat byproducts of poultry and hogs; and eggs
Cacodylic Acid ** (Dimethyl-arsinic acid)	012501	180.311	D251054 Cropp-Kohlligian 3/16/00	5	kidney, liver, meat, fat, and meat byproducts (exc. kidney and liver) of cattle
Carbofuran	090601	180.254	D274574 Drew 5/31/01	15	meat, fat, and meat byproducts of cattle, goats, hogs, horses, and sheep
Total number of tolerances =				43	

* For confirmatory purposes, the registrant for aldicarb should submit a ruminant feeding study conducted in accordance with current guidelines (OPPTS 860.1480).

** Methylation of arsenicals has been demonstrated to be a true detoxicating process in animals. Organic as well as inorganic forms of arsenic are methylated in animals to potentially significant levels of dimethyl arsonate. Studies have found that about half of the arsenic found in the urine of animals exposed to high levels of inorganic arsenic (trivalent and pentavalent) are methylated derivatives. Given the ubiquity and abundance of arsenic in the environment and the potential for methylation of arsenicals in animals, residues of dimethyl arsonate are probably quite common in animals as finite background levels. Available published information suggests that background levels of dimethyl arsonate (cacodylate) found in beef tissues and milk may substantially exceed those incurred from the maximum theoretical dietary burden from ingestion of feed stuffs derived from raw agricultural commodities treated with cacodylic acid at the maximum supported use rates. Therefore tolerances for residues of cacodylic acid in beef tissues and milk are not practically enforceable.

TABLE 2. MMPE TOLERANCES ACCOUNTED FOR IN RED/TRED WORKPLAN

Chemical	PC Code	CFR Cite	Document Reference	Workplan Status	No.	Tolerances to be Revoked
Fenarimol	206600	180.421	D277505 Drew 10/18/01	in process as TRED, July'02	14	liver of cattle, goat, horse, and sheep; kidney, liver, meat, fat, and meat byproducts of hogs; meat, fat, and meat byproducts of poultry; eggs; and milk
Metolachlor	108801	180.368	D274328 S. Kinard 2/28/02	in process as TRED, June'02	5	kidney, liver, meat, fat, and meat byproducts (exc. kidney and liver) of hogs
Sodium Acifluorfen	114402	180.383	D252560 W. Hazel 5/5/00	in process as RED, July'02	15	kidney and liver of cattle, goats, hogs, horse, and sheep; meat, fat, and meat byproducts of poultry; eggs; and milk
Thiophanate-methyl	102001	180.371	D272013 Morales 3/15/01	in process as RED, June'02	8	liver, meat, fat, and meat byproducts (exc. liver) of hogs and poultry
Total number of tolerances =					42	

TABLE 3. MMPE TOLERANCES ACCOUNTED FOR IN FR RULE WORKPLAN

Chemical	PC Code	CFR Cite	Document Reference	Workplan Status	No.	Tolerances to be Revoked
Oxadiazon *	109001	180.346	D273740 S. Piper 3/27/01	DD review in OGC	16	meat, fat, and meat byproducts of cattle, goats, hogs, horses, and sheep; and milk fat
Total number of tolerances =					16	

*All sixteen oxadiazon tolerances for oxadiazon are in process for revocation by final rule publication in the *Federal Register*. The draft has completed review in RD, HED, and BEAD, but awaits OGC review.